

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DANNY RAY MEEKS,)	
)	
Plaintiff)	
)	
v.)	No. 3:12-0545
)	Judge Trauger/Bryant
TENNESSEE DEPARTMENT OF)	Jury Demand
CORRECTION, <i>et al.</i> ,)	
)	
Defendants)	

O R D E R

Plaintiff has filed his motion for release of discovery evidence seized by Defendants (Docket Entry No. 176). Defendants have filed a response in opposition (Docket Entry No. 190).

Plaintiff in his motion alleges that during the course of discovery in an unrelated action that Plaintiff has filed in this district he obtained a copy of the Americans With Disabilities Act Compliance Guide ("ADA/CG"). According to Plaintiff, Defendant Julia Campbell seized Plaintiff's copy of the ADA/CG during a planned search of Plaintiff's cell. Plaintiff here seeks an order directing Defendants to return to Plaintiff the subject ADA/CG.

As authority for his motion, Plaintiff cites Rules 34 and 72 of the Federal Rules of Civil Procedure. However, the record in this action fails to show that Plaintiff has complied with Rule 34 or Rule 37 with respect to the ADA/CG. Specifically, Plaintiff fails to allege that he has served a request for production of the ADA/CG in this action, or that he has filed a motion to compel production pursuant to Rule 37(a).

For the foregoing reasons, Plaintiff's motion for release of discovery evidence (Docket Entry No. 176) is **DENIED**, without prejudice to Plaintiff's right to seek relief in his unrelated action, Case No. 1:07-0013.

It is so **ORDERED**.

/s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge